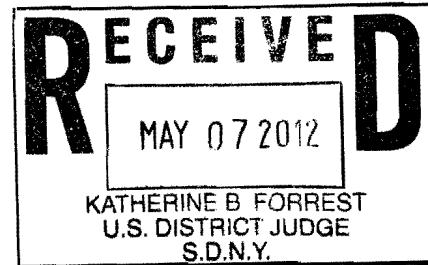


McCARTER  
& ENGLISH  
ATTORNEYS AT LAW

May 4, 2012

VIA HAND DELIVERY

The Honorable Katherine B. Forrest  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007



Re: Microsoft Corporation v. DataTern, Inc.  
No. 11-cv-2365-KBF  
SAP AG and SAP America, Inc. v. DataTern, Inc.  
No. 11-cv-2648-KBF

William A. Zucker  
Partner  
T. 617.449.6516  
F. 617.607.9152  
wzucker@mccarter.com

McCarter & English, LLP  
265 Franklin Street  
Boston, MA 02110-3113  
T. 617.449.6500  
F. 617.607.9200  
www.mccarter.com

Dear Judge Forrest:

We write on behalf of defendant DataTern, Inc. to request a brief extension of the current briefing schedule for opening claim construction briefs. We would respectfully request that the briefs be filed on Friday, May 11, 2012 instead of Wednesday, May 9, 2012. In this request, Microsoft Corporation and by SAP AG and SAP America, Inc. do not oppose the requested extension.

The parties are planning to file with the opening claim construction briefs a Joint Claim Construction and Prehearing Statement and are still working on narrowing the disputed claims before the Court. For that process to occur in an orderly fashion and for the briefs to be written in light of that Joint Claim Construction and Prehearing Statement, this modest extension is respectfully requested. Granting it does not alter the other dates set by the Court.

BOSTON

HARTFORD

NEW YORK

NEWARK

PHILADELPHIA

STAMFORD

WILMINGTON

Respectfully submitted,

William A. Zucker

WAZ/jrg

cc: Counsel for Microsoft and  
Counsel for SAP, AG  
Counsel for SAP-America, Inc.

*Granted.*

SO ORDERED:

HON. KATHERINE B. FORREST  
UNITED STATES DISTRICT JUDGE  
5/8/12